SOUTHERN DISTRICT OF NEW YORK	**	
VICTOR RESTIS, et al.,	X :	
Plaintiffs,	:	13 Civ. 5032 (ER) (KNF)
V.		
AMERICAN COALITION AGAINST NUCLEAR IRAN, INC., et al.,	:	NOTICE OF MOTION
Defendants.	:	

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the classified submissions lodged pursuant to the Notice of Lodging of Classified Submissions for *Ex Parte, In Camera* Review filed herewith, the United States of America, by its attorney, Preet Bharara, United States Attorney for the Southern District of New York, hereby (i) moves to intervene in this action; (ii) asserts the state secrets privilege in this action, and (iii) also moves to dismiss the complaint.

Date: September 12, 2014

New York, New York

Respectfully submitted,

PREET BHARARA United States Attorney

By: <u>s/Michael J. Byars</u>

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